Remarks

1. Summary of Office Action

In the Office Action mailed September 18, 2006, the Examiner rejected claims 1-4 and 9-11 under 35 U.S.C. § 112, second paragraph, as being indefinite. Further, the Examiner rejected claims 1-4 and 9-11 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,193,380 (hereinafter "Jacobs").

2. Status of Claims

Applicants have amended claims 1, 2, 9, and 10 to recite the invention more particularly and clearly. Pending are claims 1-4 and 9-11, of which claims 1 and 9 are independent and the remainder are dependent.

3. Response to §112 Rejections

As noted above, claims 1-4 and 9-11 were rejected on grounds of indefiniteness. Applicants have amended independent claims 1 and 9, as noted by the Examiner, to recite the claimed limitations more clearly. Applicants believe that the above amendments overcome the Examiner's rejections with respect to claims 1-4 and 9-11. Reconsideration is respectfully requested in view of the above amendments.

4. Response to §102 Claim Rejections

As further noted above, the Examiner rejected claims 1-4 and 9-11 on grounds of anticipation in view of Jacobs.

Under M.P.E.P. § 2131, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Applicants respectfully traverse the rejections of claims 1-4 and 9-11,

because Jacobs does not disclose or suggest each and every element as recited in any of these claims.

The present application is directed to a method and apparatus for *automatic* viewing of a vehicle blind spot.

In this regard, as presently recited in amended claim 1 for instance, the claimed apparatus includes: (i) at least one motor mechanically coupled to a mirror for positioning the mirror, and (ii) an object detector for detecting objects within a visual blind spot of a vehicle, wherein the object detector is operable to provide a detection signal to the at least one motor to adjust a position of the mirror to provide a view of the blind spot of the vehicle to a driver of the vehicle, and wherein the at least one motor adjusts the position of the mirror to provide the view of the blind spot of the vehicle *based at least in part on a viewing position of the driver, the viewing position of the driver being automatically detected when an object is detected in the vehicle blind spot by the object detector.* (Emphasis added). (Independent claim 9 recites similar limitations. Further, each of claims 2-4 and 10-11 depend from claim 1 or 9 and necessarily includes all of the limitations of a respective independent claim 1 or 9).

For example, as described in Applicants' specification, various systems are known that can detect a position of a driver's head, driver's eyes, and what direction they are facing. Locating a driver's head or even eyes can be accomplished using, e.g., a sonar, thermal, capacitive, and/or camera/optical detectors, as are known in the art. Such detecting systems may be beneficially employed to provide a separate viewing-position control signal for the at least one motor when an object is detected in the vehicle blind spot by the object detector.

Advantageously, given such automatically detected viewing position of the driver when the object is detected in the blind spot, the at least one motor can better position the mirror to provide the vehicle blind spot within the actual view of the driver. (*See, e.g.*, Applicants' specification at page 5, line 12, to page 6, line 6, page 8, lines 11-16, and page 3, lines 9-17).

Applicants respectfully submit that the cited Jacobs reference fails to disclose or suggest the invention as presently claimed by Applicants. For instance, at a minimum, Jacobs fails to disclose or suggest the claimed limitation of: "wherein the at least one motor adjusts the position of the mirror to provide the view of the blind spot of the vehicle based at least in part on a viewing position of the driver, the viewing position of the driver being automatically detected when an object is detected in the vehicle blind spot by the object detector."

In general, Jacobs teaches a system in which a motor temporarily moves a vehicle mirror from a pre-set normal viewing position to a pre-set blind spot viewing position when another vehicle is detected in the vehicle's blind spot. As noted by the Examiner (*see, e.g.*, the passage at col. 2, lines 31-38), Jacobs generally discloses that:

> "The pre-set positions are likely to vary for different drivers, depending upon the location of the driver relative to the side view mirror and the normal viewing angles of the driver. These positions may depend on the height of the driver or the position of the driver's eyes relative to the vehicle side view mirrors. Thus, the system *requires adjustability* for each particular driver."

(Emphasis added).

Further, in Figure 9 and the accompanying text at col. 5, line 55, to col. 6, line 7, (see additionally col. 4, lines 58-61), Jacobs then explains the steps *a driver must carry out* in order to pre-set the system for use. In this regard, according to Jacobs:

> "The normal and blind spot viewing positions may vary from one driver to another. Also the positions may vary if a particular driver moves the vehicle seat either rearwardly or forwardly or up and down. **Consequently, *the driver may have to re-set the normal and blind spot viewing positions* from time to time.**"

Thus, to the extent Jacobs recognizes that a blind spot viewing position may depend on viewing characteristics of a driver (e.g., driver's viewing angle, position of the driver's eyes, etc.), the system of Jacobs functions in a different way from that presently claimed by Applicants.

Specifically, in the claimed invention, "the at least one motor adjusts the position of the mirror to provide the view of the blind spot of the vehicle based at least in part on a viewing position of the driver, *the viewing position of the driver being automatically detected when an object is detected in the vehicle blind spot by the object* detector. **In contrast,** Jacobs *requires a driver to manually pre-set* a blind spot viewing position to account for driver's viewing characteristics. Further, as acknowledged by Jacobs, this initially pre-set position *may then have to be re-set by the driver* if the driver's viewing position changes for one reason or another later on.

Thus, unlike Jacobs, the claimed invention advantageously calls for a viewing position of a driver to be automatically detected when an object is detected in a vehicle blind spot by an object detector. As noted above, various known detecting systems can be conveniently used to provide this feature. With the benefit of the claimed invention, a motor may independently adjust a mirror position such that the vehicle blind spot is within the view of the driver when the object is detected in the vehicle blind spot.

Because Jacobs does not disclose or suggest the invention as recited in each of claims 1-4 and 9-11, Jacobs fails to anticipate these claims under 35 U.S.C. § 102.

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5. Conclusion

In view of the foregoing, Applicants submit that all of the pending claims are in condition for allowance. Therefore, Applicants respectfully request favorable reconsideration and allowance of those claims.

Respectfully submitted,

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